

## **CHILD CARE LICENSING ADVISORY COMMITTEE MINUTES**

9 September 2010  
Cannon Health Building  
228 North 1460 West Room 125  
Salt Lake City, Utah

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**Members Present:** Dale Smith, Ed Dieringer, David Rothschild, Carol Thompson, Pat Marino, Diane Wilkinson, Leslie Hjorth and Joni Hemond

**Members Excused:** Michael Libeck, Heidi Radeke, Julie Shakib, Jodie Jensen and Carolyn Miller

**Department of Health and Child Care Licensing Staff Present:** Teresa Whiting, Simon Bolivar, Karrie Phillips, Colleen Murphy, Donna Thomas and Sherri Lizotte

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### **WELCOME**

Mr. Smith began the meeting at 9:38 am. The minutes from the last Child Care Licensing Advisory Committee meeting on May 13, 2010 were approved by the committee on May 27, 2010 and are posted on the Child Care Licensing website at [www.health.utah.gov/licensing](http://www.health.utah.gov/licensing).

### **OLD BUSINESS**

#### **Update on Proposed Revisions to Home Provider Rules**

Ms. Whiting reported that the proposed home provider rule amendments have been filed and will be open for public comment from September 15, 2010 to October 15, 2010. A postcard will be mailed out to all home providers to let them know this. Ms. Whiting will bring any comments received to the next Child Care Licensing Advisory Committee meeting on November 18, 2010.

#### **Update on Proposed New Language for Mixed Age Group Rules for Centers, and Proposed Center Rule Revisions**

Ms. Whiting reviewed the mixed age group ratio center proposal that was developed based on the advisory meeting on May 13, 2010. The proposed formula to determine child to caregiver ratios uses an Excel spreadsheet that will divide the number of children present in each age group by the ratio of that age group to determine the required number of caregivers. The Excel spreadsheet would be available from the Child Care Licensing website. If a center does not have the internet available then they would still have access to the sheet and would do the calculations using a calculator or by hand.

Mr. Smith asked if Child Care Licensing would like some centers to try this new formula and come back with information and feedback at the November 18, 2010 Child Care Licensing Advisory Committee meeting. Mr. Dieringer made a motion that the members defer a recommendation on the proposed new method and task several providers to try out the system and bring their feedback to the next meeting. Mr. Marino seconded the motion. All members present voted unanimously in the affirmative.

Ms. Whiting will send the Excel spreadsheet to Mr. Smith, Mr. Dieringer, Mr. Marino, Mr. Rothschild and Ms. Thompson by e-mail, so they can use the spreadsheet at their centers and report back to the Child Care Licensing Advisory Committee meeting on November 18, 2010 with their findings and recommendations.

### **Update on Suggested Language on Outdoor Playground Inclines**

Mr. Smith asked Mr. Rothschild for an update on suggested language for outdoor playground inclines. Mr. Rothschild stated that he did not have any suggested language for outdoor play surfaces that were on an incline.

Ms. Whiting stated that in her research from other states she could find no rules related to playground inclines. The closest rule some states had was that the outdoor play area must contain a surface suitable for wheeled toy use.

Mr. Marino's expressed a concern that we not create a rule that would apply to everyone based on a concern with just one center.

After discussion by the committee, Mr. Rothschild suggested that the committee hold off on recommending a rule in this area.

## **NEW BUSINESS**

### **Discussion for What Constitutes Compliance with Child Care Licensing Rules for QRIS Purposes**

Ms. Whiting reported on the Office of Child Care QRIS meeting that was held Tuesday, September 8, 2010. At that meeting, the proposed definition for a provider in "good" or "substantial" compliance with licensing, for QRIS purposes, would be that the provider does not have a conditional license, any civil money penalties, or any level one cited findings. Ms. Whiting stated there are three different levels of findings and the distinguishing of the levels takes into account how serious is the harm that could result to a child if the rule is violated or how likely is it that harm will result to a child. Level one cited findings are the most serious violation and is a cited finding. Ms. Whiting stated whatever definition is used for QRIS, an additional question that needs to be answered is how long a provider would need to be free of any of these three before they would be eligible to re-engage in the QRIS program.

After discussion by the committee, Mr. Marino made a motion that the definition for acceptable licensing compliance for QRIS purposes be the provider does not have a conditional license, any civil money penalties, or any level one cited findings. Mr. Rothschild seconded the motion. The motion was carried unanimously.

Regarding the time frame for re-entry into QRIS after a facility has been in substantial non-compliance, Mr. Dieringer made a motion that Child Care Licensing staff come back with recommendations for time frames for re-entry into QRIS, depending on the nature and number of violations, with a maximum of 13 months or based on the last annual announced inspection. Mr. Marino seconded the motion and the vote was carried unanimously.

Ms. Rasmussen, Ms. Taylor and Mr. Matherly, from the Office of Child Care, will present what the Office of Child Care Advisory Subcommittee has so far on the QRIS proposed plan to the next Child Care Licensing Advisory Committee meeting on November, 18, 2010. The Office of Child Care holds a QRIS meeting the second Wednesday of each month and the next meeting for QRIS will be October 13, 2010 at 1385 South State Street in room 157A.

### **PUBLIC COMMENTS**

There were no public comments.

The next Child Care Licensing Advisory Committee meeting will be on November 18, 2010 from 9:30 a.m. to 12:00 p.m. at the Utah State Library, located at 250 North 1950 West, SLC, in Rooms 218 & 219.

The meeting was adjourned at 11:33 a.m.